REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	25 November 2004
Name of applicant/court:	The District Court at Christchurch
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	scott018.jpg
Other Known Title(s):	Not Stated
Director(s):	Not Applicable
Producer(s):	Not Applicable
Publisher:	Not Stated
Author(s):	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Stated
Language(s):	Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running Time:

Trailers: Running Time:

Total Running Time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *scott018.jpg* is classified as:
Objectionable.

The file is automatically deemed objectionable because it promotes and supports the exploitation of children for sexual purposes. The image is a colour photograph. It explicitly shows a naked pre-pubescent boy in a sexual manner, in a form intended for distribution on the internet. The image is intended to be sexually arousing, and for those with a sexual interest in children the publication validates and encourages that interest.

The classification of this publication interferes with the freedom of expression, as set out in s14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are banned. The classification is a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of young persons for sexual purposes.

OFLC No: 401453